

AN ORDINANCE

98727

APPROVING A BROWNFIELDS REDEVELOPMENT PROGRAM PROJECT WITH THE SAN ANTONIO DEVELOPMENT AGENCY (SADA), UNDER PROVISIONS OF THE CITY'S GRANT FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY; AUTHORIZING A PARTICIPATION UNDERSTANDING WITH CONSENT FOR PROMOTIONAL USE AND RIGHT OF ACCESS WITH SADA, HISTORIC GARDENS-UNIT 3 PROJECT; AUTHORIZING PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES NECESSARY TO ACCOMPLISH AN ENVIRONMENTAL SITE ASSESSMENT IN THE AMOUNT OF \$23,040.00 BY ENGINEERING AND FIRE INVESTIGATIONS, INC., UNDER AN EXISTING ENVIRONMENTAL CONSULTING SERVICES AGREEMENT; AND PROVIDING FOR PAYMENT.

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WHEREAS, the City of San Antonio has been awarded a \$200,000.00 grant from the U.S. Environmental Protection Agency (EPA) to fund various qualified Brownfields Redevelopment Program Projects (Program), which funds are to be used to accomplish Phase I and Phase II Environmental Site Assessments (ESAs) intended to evaluate environmental conditions of "abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination"; and

WHEREAS, the Program does not fund physical remediation tasks, but rather accomplishes assessment predicate to and necessary to remediation, if any; and

WHEREAS, this Ordinance provides for Program assessment of thirty-five tracts owned by the San Antonio Development Agency (SADA) which site is commonly called the Historic Gardens-Unit 3 Project, and which candidate site is located between S. Cherry and S. Mesquite Street from Nevada Street to Dakota Street; and

WHEREAS, Engineering and Fire Investigations, Inc., has submitted a \$23,040.00 proposal scoping the assessment for the SADA-Historic Gardens-Unit 3 Project site, which proposal has been reviewed and recommended for acceptance by the City's Department of Environmental Services, and which engineering firm presently coordinates with the Environmental Services Department under a stand-by professional services agreement; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Brownfields Redevelopment Program Project funded through the U.S. Environmental Protection Agency (EPA) for the San Antonio Development Agency (SADA), Historic Gardens-Unit 3 Project is hereby approved. The City Manager, or her designee, is authorized to execute a Participation Understanding with Consent for Promotional Use and Right of Access (Understanding) with SADA in connection therewith. A copy of said Understanding, in substantially final form, is attached hereto and incorporated herein for all purposes as Attachment I. The City Manager or her designee is further authorized to execute what other documents may be necessary to the project upon review and advisement of the Office of the City Attorney.


SECTION 2. The assessment proposal tendered by Engineering and Fire Investigations, Inc. (EFI), dated October 20, 2003, is accepted to accomplish the environmental assessment for approximately 5.4 acres. This proposal is provided by EFI under authority of an existing stand-by professional services agreement evidenced by Ordinance No. 95384, passed and approved by City Council on February 28, 2002. A copy of said proposal is attached and incorporated herein for all purposes as Attachment II.

SECTION 3. Payment to Engineering and Fire Investigations, Inc. is authorized from Project No. 26-010001, Index No. 649251, Phase I and Phase II Environmental Services.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall be effective on February 1, 2004.

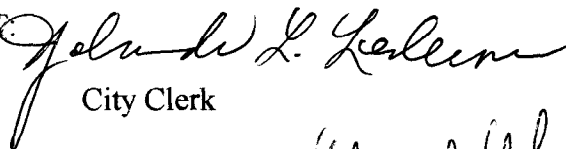
PASSED AND APPROVED this 22 day of January, 2004.



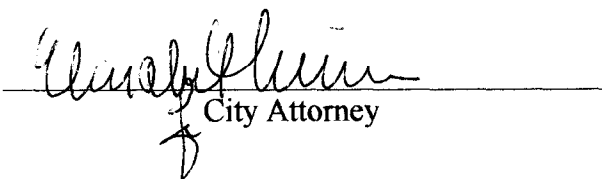
M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney